

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DOROTHY SLADE, ET AL.

v.

CITY OF MARSHALL TEXAS, ET AL.

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Case No. 2:13-CV-1102-RSP

MEMORANDUM ORDER

For the reasons orally assigned in Open Court on May 28, 2014: (1) all state law claims against the individual officers are dismissed without prejudice by agreement of Plaintiff, to be pursued only against the City of Marshall; (2) the battery claim is not asserted against Defendant TASER, by agreement of Plaintiff; and (3) Plaintiff is Ordered to file an amended complaint concerning the bystander claim on behalf of the decedent's nephew, attempting to cure the issues raised by Defendant in the motion to dismiss, within 10 days, and Defendant may reurge its motion on that issue within 10 days thereafter if deemed appropriate.

SIGNED this 4th day of August, 2014.



ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE